

Notice of Allowability

Application No.

09/785,215

Examiner

Gregory S. Emch

Applicant(s)

JENSEN ET AL.

Art Unit

1649

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address–

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Response filed 10 February 2006.
2. ☒ The allowed claim(s) is/are 9, 10, 25, 26, 33, 59, 60, 62-69, 71, 72, 74, 75, 78, 79 and 81-83 renumbered as 7, 8, 9, 10, 11, 12, 13, 14-21, 1, 2, 3, 4, 5, 6 and 22-24.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 10 February 2006
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


JANET L. ANDRES

SUPERVISORY PATENT EXAMINER

EXAMINER'S AMENDMENT

The finality of the last Office action is hereby withdrawn, and an examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Leonard Svensson on 27 April 2006.

The application has been amended as follows:

In the specification:

On p.1, line 1 (title), "Novel" was deleted.

In the claims:

Claims 1, 3, 4, 7, 8, 17-19, 76, 77 and 80 were canceled.

In claim 9, line 1, "1" was deleted and replaced by --71--.

In claim 10, line 1, "1" was deleted and replaced by --71--.

Claim 25 was deleted and replaced by, --The method according to claim 71, wherein said modified A β or APP polypeptide further comprises at least two copies of said polypeptide covalently or non-covalently linked to a carrier molecule.--

In claim 26, line 1, "1" was deleted and replaced by --71--.

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In claim 26, line 1, "the analogue has been formulated" was deleted and replaced by --said polypeptide is administered in combination--.

In claim 33, line 1, "1" was deleted and replaced by --71--.

In claim 60, line 1, "1" was deleted and replaced by --71--.

In claim 62, line 1, "3" was deleted and replaced by --72--.

In claim 63, line 1, "3" was deleted and replaced by --72--.

In claim 64, line 1, "3" was deleted and replaced by --72--.

In claim 65, line 1, "3" was deleted and replaced by --72--.

In claim 68, line 1, --administration is via a-- was added after "wherein the".

In claim 69, line 1, "1" was deleted and replaced by --71--.

In claim 71, line 4, "-" was deleted.

In claim 71, line 9, "hemagglutinin" was deleted and replaced by --hemagglutinin--.

In claim 72, line 4, "-" was deleted and replaced by --(a)--.

In claim 72, line 9, "-" was deleted and replaced by --(b)--.

In claim 72, line 12, "-" was deleted and replaced by --(c)--.

In claim 74, line 4, "-" was deleted.

In claim 75, line 4, "-" was deleted and replaced by --(a)--.

In claim 75, line 9, "-" was deleted and replaced by --(b)--.

In claim 75, line 12, "-" was deleted and replaced by --(c)--.

In claim 74, line 9, "hemagglutinin" was deleted and replaced by --hemagglutinin--.

In claim 78, line 3, "-" was deleted and replaced by --(a)--.

In claim 78, line 5, "-" was deleted and replaced by --(b)--.

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In claim 78, line 6, "-" was deleted and replaced by --(c)--.

In claim 78, line 6, a carriage return was inserted after "epitope,".

In claim 78, line 9, "-" was deleted and replaced by --(d)--.

In claim 78, line 11, "-" was deleted and replaced by --(e)--.

In claim 78, line 13, "-" was deleted and replaced by --(f)--.

In claim 78, line 15, "-" was deleted and replaced by --(g)--.

In claim 78, line 17, "-" was deleted and replaced by --(h)--.

In claim 78, line 20, "-" was deleted and replaced by --(i)--.

In claim 79, line 3, "-" was deleted and replaced by --(a)--.

In claim 79, line 5, "-" was deleted and replaced by --(b)--.

In claim 79, line 6, "-" was deleted and replaced by --(c)--.

In claim 79, line 6, a carriage return was inserted after "epitope,".

In claim 79, line 9, "-" was deleted and replaced by --(d)--.

In claim 79, line 11, "-" was deleted and replaced by --(e)--.

In claim 79, line 13, "-" was deleted and replaced by --(f)--.

In claim 79, line 15, "-" was deleted and replaced by --(g)--.

In claim 79, line 17, "-" was deleted and replaced by --(h)--.

In claim 79, line 20, "-" was deleted and replaced by --(i)--.

In claim 81, line 1, "77" was deleted and replaced by --78--.

In claim 82, line 1, "77" was deleted and replaced by --78--.

In claim 83, line 1, "77" was deleted and replaced by --78--.

Advisory Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory S. Emch whose telephone number is (571) 272-8149. The examiner can normally be reached on Monday through Friday from 9AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Janet L. Andres can be reached at (571) 272-0867. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory S. Emch, Ph. D.
Patent Examiner
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May 8, 2006